

EXHIBIT

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January 4, 2019

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001, 03MDL 1570 (GBD) (SN)*

Dear Judge Netburn:

Pursuant to your order, the parties met and conferred regarding Havlisch/Hoglan Motion for Common Benefit.

I. Havlisch/Hoglan Background

The Motion for Common Benefit arises from the work Havlisch/Hoglan has done without the aid of other Iran judgement holders. The Respondents simply relied on evidence provided by Havlisch/Hoglan already in the Courts record. All judgements against Iran are a direct result of 10 years of work by the Havlisch/Hoglan Group. Under these circumstances, a common benefit fund (shared between the Havlisch/Hoglan lawyers and their clients) should be required.

The Motion has some urgency as hundreds of millions of dollars have today gone to the Iran Judgement Creditors who relied entirely on the evidence created by the Havlisch/Hoglan plaintiffs. This issue is now ripe (see Judge Mass' order re ripeness). Our Motion was timely as letters to Respondents from the VSST accepting their VSST claims were received December 13, 2018.

II. Havlisch/Hoglan Position

Although no actual agreement has been made the Havlisch/Hoglan movants have adjusted their position as a result of the meet and confer process. Havlisch/Hoglan's current position with respect to the Motion is as follows:

1. We agree to extend the time for response to any date acceptable to Respondents so long as they retain the requested percentage common benefit in their trust accounts until the matter is resolved.

2. We agree that any deal relating to the payments made from the 2019 VSST Fund will apply only to those payments and not subject either party to any waiver regarding future Iran collections.
3. We agree that, with regard to any resolution of the Saudi cases, the same principle should apply. Those firms taking the laboring oar in the Saudi cases should receive common benefit funds.

Respectfully submitted,

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